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September 27, 2000

VIA HAND DELIVERY

Jeff S. Jordan, Esq.
Supervisory Attorney
Central Enforcement Docket
Office of the General Counsel
Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463

Re: MUR-5087; Complaint of George C. Taylor Against South Carolina
Educational Television Commission

Dear Mr. Jordan:

On behalf of South Carolina Educational Television Commission ("SCETV"), I am transmitting herewith an original and two copies of its response to your letter of September 12, 2000 in the referenced matter. As reflected in the response, SCETV has not acted in any manner inconsistent with the Federal Election Campaign Act of 1971, as amended, or the Federal Election Commission's rules.

Also enclosed are three copies of SCETV's Statement of Designation of Counsel, authorizing the undersigned to receive any notifications and other communications from the FEC and to act on its behalf before the FEC.

We trust that the SCETV response fully answers all questions relating to this matter, and we look for it to be quickly concluded. However, if any additional information would be necessary or useful, kindly contact the undersigned.

Sincerely,

Todd D. Gray

Todd D. Gray

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OFFICE OF GENERAL
COUNSEL
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Television That Teaches and Inspires

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President & CEO
(803) 737-3240
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email: pamos@scetv.org

September 26, 2000

Federal Election Commission
Washington, D.C. 20463
Attention: Mr. Jeff S. Jordan
Supervisory Attorney
Central Enforcement Docket

Re: MUR-5087; Complaint of George C. Taylor Against
South Carolina Educational Television Commission

Dear Mr. Jordan:

South Carolina Educational Television Commission ("SCETV"), an agency of the State of South Carolina, hereby responds to your letter of September 12, 2000, stating that the Federal Election Commission has received a complaint from Mr. George C. Taylor, and providing SCETV an opportunity to respond. SCETV received the letter on September 14, 2000. Thus, this response is timely filed.

SCETV shows in this response that SCETV has not violated the Federal Election Campaign Act of 1971, as amended (the "Act") and that, therefore, no action should be taken against SCETV in this matter.

Mr. Taylor's complaint is that certain guidelines for candidates' inclusion in South Carolina Congressional televised debates may employ subjective rather than objective criteria as required in Section 11 CFR Sec. 110.13 of FEC rules. However, as SCETV demonstrates in this response: (a) the debate inclusion criteria provided by Mr. Taylor to the FEC related to 1998 debates for South Carolina state offices, not federal offices, and are outside the jurisdiction of the FEC; (b) SCETV's role in candidate debates during the 2000 campaign is that of a public broadcaster acting as a press entity covering such debates, and not a "staging organization;" (c) the debate inclusion criteria being used by the staging organization for the candidate debates, the League of Women Voters of South Carolina ("LWVSC"), are all objective and, without conceding that such criteria are subjective, do not contain the criteria complained about by Mr. Taylor; and (d) Mr. Taylor has withdrawn his complaint.

DCLIB01:1275468-1/9/22/2000

Federal Election Commission

September 26, 2000

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Argument

(a) Mr. Taylor's complaint appears to relate to certain 2000 Congressional debates and is based entirely on the use of two criteria claimed by Mr. Taylor to be subjective. However, his complaint provides only debate selection criteria for debates held in 1998 that were staged by LWVSC and aired by broadcasters including SCETV. These debates in 1998 were held only for South Carolina state offices and are outside the reach of the Act or the enforcement jurisdiction of the FEC. On its face, therefore, the complaint fails to allege any violation of the Act.

(b) SCETV's role in the 2000 Congressional Candidate debates in South Carolina is that of a broadcaster acting as a press entity, and not that of a staging organization. SCETV is licensee of eleven public television stations in South Carolina that will broadcast the Congressional debates. SCETV has also made its studios available to LWVSC for the debates so as to provide a convenient location for broadcast origination. However, SCETV is not responsible for setting the criteria for candidate inclusion, has not participated in selecting or inviting candidates, and has no role in the actual content of the debates. SCETV has chosen to cover the debates as bona fide news events as a reasonable, viewpoint-neutral exercise of its journalistic judgment protected by the First Amendment. Therefore, once again, there is no basis for suggestion that SCETV has violated the Act.

(c) The staging organization, LWVSC, has provided SCETV its 2000 Congressional debate inclusion criteria, a copy of which is attached to this response. SCETV notes that, without conceding that they are subjective rather than objective, the two criteria from the 1998 debate context referenced in Mr. Taylor's complaint (statewide media coverage and 15% vote share in statewide opinion polls) are not applied in the 2000 criteria. SCETV believes that the 2000 debate criteria are undeniably objective and fully consistent with the Act and FEC rules.

(d) Finally, SCETV has been provided a copy of a sworn and notarized letter dated September 15, 2000 from Mr. Taylor to the FEC, withdrawing his complaint against SCETV and LWVSC, stating that "the League dropped the subjective opinion poll as one of its criteria for inclusion in congressional debates." A copy of this letter is also attached to this response. It is therefore clear that the complainant in this matter now believes that the 2000 Congressional debates are being conducted in accordance with the Act. It is also clear that he is aware that LWVSC, and not SCETV, is the staging organization that is responsible for the inclusion criteria.

The foregoing conclusively demonstrates that there was never any basis for Mr. Taylor's complaint against SCETV under the Act, and that Mr. Taylor has himself come to that

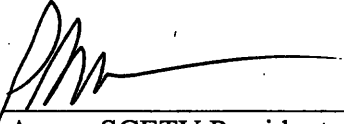
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September 26, 2000
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conclusion. Although SCETV would be pleased to respond further to any questions that the FCC may still have relating to this matter, SCETV has shown that it has in no way acted in a manner inconsistent with the Act or the FEC's regulations.

Respectfully submitted,

SOUTH CAROLINA EDUCATIONAL
TELEVISION COMMISSION

By: 
Paul Amos, SCETV President

The Foregoing was Signed and Sworn to before me this
26 day of September, 2000

Bonnie J. Hite
Notary Public

My Commission Expires My Commission Expires November 14, 2006

21 "04" 405 "036" 1

**CRITERIA FOR CONGRESSIONAL DEBATES
LEAGUE OF WOMEN VOTERS OF SOUTH CAROLINA
FALL 2000**

To be eligible for inclusion in a debate, the candidate must have:

- 1) Ballot Access - The candidate must meet all South Carolina election law requirements to be on the ballot.
- 2) A formal campaign - The candidate must present evidence that a formal campaign is being waged, e.g. presence of headquarters, campaign volunteers, issuance of position papers, campaign appearances, media coverage.
- 3) Financial Support - Evidence of support through the receipt of contributions from a significant number of contributors.

A congressional candidate wishing to be included in a LWVSC candidate debate must supply the League with evidence that all criteria have been met. Final determination of eligibility to participate will be made by a League Steering committee and must be received by the time specified in the invitation letter.

Status as a nominee of a particular party does not automatically make a candidate eligible for debate participation.

There will be no substitutes or stand-ins for the candidates and no "empty chair" debates. At least one major party candidate must be participating.

George C Taylor
SC Congressional Candidate District 2
1635 Old Airport Road
Winnboro, SC 29180
803-635-7969

September 15, 2000

Dear General Council to the FEC:

I hereby withdraw my complaint against the South Carolina League of Women Voters and South Carolina Educational Television which I first filed on June 9, 2000 and refiled with proper notary public's certificate on August 25, 2000. I withdraw my complaint because the League dropped the subjective opinion poll as one of its criteria for inclusion in congressional debates.

Sincerely,

George C. Taylor

George C. Taylor

SC Natural Law Party

Congressional Candidate for District 2

*Signed & Sworn before me
on September 18, 2000*

Diana Klump

My Commission Expires
March 14, 2006

21-04-405-0363

STATEMENT OF DESIGNATION OF COUNSEL

MUR 5087

NAME OF COUNSEL: Todd D. Gray

FIRM: Dow, Lohnes & Albertson, pllc

ADDRESS: 1200 New Hampshire Avenue, NW

Suite 800


Washington, DC 20036-6802

TELEPHONE: (202) 776-2571

FAX: (202) 776-4571

The above-named individual is hereby designated as my counsel and is authorized to receive any notifications and other communications from the Commission and to act on my behalf before the Commission.

9-26-00
Date


Signature

RESPONDENT'S NAME: South Carolina Educational Television Commission

ADDRESS: 1011 George Rogers Boulevard

P.O. Box 11000

Columbia, S.C. 29211

TELEPHONE: HOME() N/A

BUSINESS(803) 737-3200

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